

ORDINANCE NO. 05-288

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS AMENDING THE LOS ALTOS MUNICIPAL CODE BY ADDING A NEW CHAPTER 2.05 TO ADDRESS WILLFUL INTERRUPTIONS OF PUBLIC MEETINGS AND RULES FOR CONDUCT

WHEREAS, the City Council of the City of Los Altos finds and determines that the adoption of reasonable standards, restrictions, and requirements concerning the conduct of public meetings will serve the public interest and are necessary to provide orderly and efficient public meetings; and

WHEREAS, the ordinance amendments set forth below have been reviewed and considered by the City Council in accordance with the provisions of the California Environmental Quality Act of 1970, as amended ("CEQA"), and the guidelines promulgated thereunder and, further, said Council finds that it can be seen with certainty that there is no possibility that said amendments may have a significant effect on the environment and said amendments are therefore exempt from the requirements of the CEQA pursuant to the provisions of Section 15061(b)(3) of Division 6 of Title 14 of the California Code of Regulations.

NOW THEREFORE, the City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. The Los Altos Municipal Code is hereby amended by adding a new Chapter 2.05 to read as follows:

Sec. 2.05.010 Interruptions and rules for conduct.

Understanding that the purpose of the City Council meetings is to conduct the people's business for the benefit of all the people, in the event that any meeting of the City Council is willfully interrupted by a person or group of persons so as to render the orderly conduct of the meeting impossible, the Mayor, Mayor Pro Tem or any other member of the City Council acting as the chair, may order the removal of the person or persons responsible for the disruption and bar them from further attendance at the Council meeting, or otherwise proceed pursuant to Government Code §54957.9 or any applicable penal statute or City ordinance.

Sec. 2.05.020 Definition.

For purposes of this chapter, unless otherwise apparent from the context, certain words or phrases used in this chapter are defined as follows:

"Willfully interrupt" includes, but is not limited to, doing any of the following after being directed by the chair to cease and being warned that continuing to do so will be a violation of law:

- (A) Addressing the City Council without first being recognized.
- (B) Persisting in addressing a subject or subjects other than that before the City Council.

- (C) Repetitiously addressing the same subject.
- (D) Continuing to speak after the allotted time has expired.
- (E) Failing to relinquish the podium when directed to do so.
- (F) Failing to sit down when directed to do so.
- (G) As a speaker, interrupting or attempting to interrupt members of the City Council or members of the City staff.
- (H) From the audience, interrupting or attempting to interrupt, a speaker, members of the City Council or members of the City staff, or shouting or attempting to shout over a speaker, members of the City Council or members of the City staff, or displays such as clapping, stamping, loud talking, hissing and booing.

Sec. 2.05.030 City Council Rules for Conduct.

A. The City Council may establish rules for the conduct of its proceedings by resolution or an action of the City Council in accordance with state law.

B. Nothing in this Chapter or any rules of conduct that may be adopted by the City Council shall be construed to prohibit public criticism of the policies, procedures, programs or services of the City or of the acts or omissions of the City Council or City staff.

Sec. 2.05.040 Violation.

Any person who violates any of the provisions of this chapter shall be guilty of a misdemeanor.

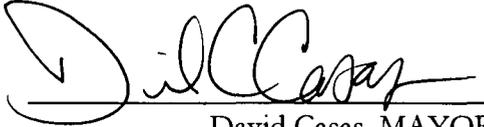
SECTION 2. CONSTITUTIONALITY. If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 3. PUBLICATION. This ordinance shall be published as provided in Government Code section 36933.

SECTION 4. EFFECTIVE DATE. This ordinance shall be effective upon the commencement of the thirty-first (31st) day following the adoption date.

The foregoing ordinance was duly and regularly introduced at a meeting of the City Council of the City of Los Altos on September 27, 2005 and was thereafter, at a regular meeting held on October 11, 2005 passed and adopted by the following vote:

AYES: COLE, PACKARD, CASAS
 NOES: MOSS, LEAR
 ABSENT: NONE


 David Casas, MAYOR

Attest: 
 Susan Kitchens, CITY CLERK